

REMARKS

These remarks are filed in response to the Examiner's Report of August 22, 2008, a response to which is due by November 22, 2008. Accordingly, the Applicants respectfully submit that no extension of time fees fall due in connection with the filing of this paper. If the Applicants are mistaken, the Commissioner is hereby authorized to deduct any necessary fees from our Deposit Account No. 13-2400.

Claims 15-34 are pending in the present application. Claims 21-34 correspond to claims 1-14 cancelled in the response to the Final Office Action of April 8, 2008. In the Final Office Action of April 8, 2008, the Examiner indicated that claims 15-20 were allowed. To expedite prosecution, the Applicant cancelled claims 1-14, which stood as rejected in the Final Office Action of April 8, 2008. The Applicant believes new claims 21-34 (corresponding to former claims 1-14) to contain patentable subject matter.

Claim 16 has been amended, as suggested by the Examiner, to expand the acronym GVPN to "Generalized Virtual Private Network".

The Examiner has rejected claims 15-20 under 35 U.S.C. § 102(e) as being anticipated by United States Patent application publication 2004/0255028 to Chu et al. (hereinafter "Chu"). The Applicant respectfully disagrees.

The network of claim 15 requires a "layer-2 provider edge device configured to advertise said layer-2 VPN information". The Examiner has identified PE 308 of Chu as corresponding to the claimed layer-2 provider edge device and has indicated that the

advertising of routes is equivalent to the advertising of layer-2 VPN information. The Applicant respectfully submits that the use of BGP and VPN routing-forwarding (VRF) tables allows one to identify the VPNs to which the PEs belong in Chu as layer-3 VPNs. Accordingly, the PE 308 does not distribute layer-2 VPN information, as required by claim 15. Instead, the PE 308 distributes layer-3 VPN information.

Since Chu does not disclose or suggest a provider edge device configured to advertise layer-2 VPN information, as required by claim 15, the Applicant submits that claim 15 may not be rejected under 35 U.S.C. § 102(e) as anticipated by Chu. It is respectfully requested that the Examiner remove the rejection of claim 15, and claims 16-20 dependent thereon, on that basis.

In view of the foregoing, the applicant respectfully submits that claims 15-34 are in condition for allowance. Favorable reconsideration and allowance of claims 15-34 are respectfully requested.

Respectfully Submitted,
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